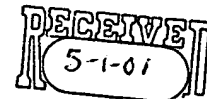


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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 42390P5113								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of David M. Horne</td> </tr> <tr> <td style="padding: 2px;">Application Number 09/002,648</td> <td style="padding: 2px;">Filed 01/05/1998</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For A METHOD FOR USING ENCODED</td> </tr> <tr> <td style="padding: 2px;">Group 2631</td> <td style="padding: 2px;">SPREADING CODES TO ACHIEVE Ghebretinsac, T.</td> </tr> </table>			In re Application of David M. Horne		Application Number 09/002,648	Filed 01/05/1998	For A METHOD FOR USING ENCODED		Group 2631	SPREADING CODES TO ACHIEVE Ghebretinsac, T.
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, <u>November 28, 2000</u>, rejecting the following claims: <u>1-3, 5, 6, 8-16, and 19-24</u>.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$310.00</p> <p><input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of the fee transmittal.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to a Deposit Account No. 02-2666. I have enclosed a duplicate copy of the fee transmittal.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.</p> <p>I am the</p> <table style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input type="checkbox"/> attorney or agent of record. <input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>45,493</u> </td> <td style="width: 40%; vertical-align: top;"> <div style="text-align: center;"> Signature Clive D. Menezes, Reg. No. 45,493 Typed or printed name 02/27/01 Date </div> </td> </tr> </table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			<input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input type="checkbox"/> attorney or agent of record. <input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) <u>45,493</u>	<div style="text-align: center;"> Signature Clive D. Menezes, Reg. No. 45,493 Typed or printed name 02/27/01 Date </div>						
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<input type="checkbox"/> *Total of _____ forms are submitted.										

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.